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MR

OLC # 78-3282/1

7 November 1978

MEMORANDUM FOR THE RECORD

SUBJECT : HSCA Requirements for DCI Appearance

1. In a meeting this morning with Mr. Blakey (other memoranda will cover other aspects of it) we spoke about the HSCA wishes for the subject matter to be addressed by the DCI at the planned appearance before the Committee in December. As it developed it became apparent that the stated preference of the HSCA was exclusive.

2. Mr. Blakey said that the HSCA wish was to speak to the future and the interest was entirely in terms stated before about what CIA would do if there were to be an assassination of another President or a major political figure.

3. We discussed some of the substantive problems that have arisen between us, and some of the atmospherics associated with them. I observed that the way the HSCA production scheduling is developing they would be asking the Director to appear to speak on what may be a fairly abstract subject, from the Agency's point of view, which might be incongruous if there were major issues that were not addressed. I said that I could not speak for the Director's point of view on this but that if the HSCA were "sandbagging" the Agency it is conceivable that an appearance would be inappropriate at all. These comments were made in the context of our earlier discussion about the positions being developed by the HSCA. He said that it was an invitation to appear, so the decision would be the Director's.

4. I observed that the role of the Agency in the eventuality of a political assassination might be very limited. In a previous conversation I had referred to an intelligence alert if there were international implications, and observed on the present occasion that there may be no other role for the Agency. He said that the

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Agency had an investigative role abroad and spoke of law enforcement functions. I replied that the Agency has no law enforcement role, in fact being denied such a role under the law. I observed that while we do collect intelligence abroad we do not conduct investigations in the police sense of the word. He suggested that these considerations were quite appropriate for consideration of the subject and that it might prove an educational opportunity so far as the public is concerned.

5. He spoke about improvements that could be made, speaking about things the FBI did not do during the John F. Kennedy investigation. He made an unclear observation about the relationship between the various agencies. I commented about the rationale of dissemination practices by the Agency in the course of the Kennedy investigation, saying that each investigation would establish its own working patterns depending on the nature of the problem.

6. Blakey clearly feels that any comments by the Director, or his representative, on any subject other than that requested by the Committee would be inappropriate. He said that any other comments by the Director, given the specifications by the Committee, would be "impertinent." In the context of the discussion I understand his use of the word to refer to relevance in the sense of pertinence. I told him that I would relay his request.

7. He made no reference to receipt of a reply from the Director in response to the HSCA request, and I did not comment on the draft that had been submitted for consideration.

Scott D. Breckinridge

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